## REMARKS/ARGUMENTS

In the Office Action mailed July 5, 2005, the Examiner rejected claims 1, 2, 4-8, 11-22, 25-31, 33-36, and 39-43 under 35 U.S.C. § 102. The Examiner also rejected claims 9, 10, 23, 24, 37 and 38 under 35 U.S.C. § 103. Claims 7-8, 21-22, and 35-36 have been cancelled, and accordingly claims 1, 2, 4-6, 9-20, 23-31, 33-34, and 37-43 are currently pending in the present application. Claims 1-2, 4-6, 9-17, and 30-31 have been amended.

Reconsideration is respectfully requested in view of the above amendments to the claims and the following remarks.

Applicants wish to thank the Examiner for conducting a telephonic interview on Thursday, September 15, 2005. During the interview, the amendments disclosed herein were discussed. The Examiner indicated that the proposed amendments appear to distinguish the claimed invention from the cited prior art, but that the Examiner would need to conduct additional review/searching to confirm this.

A. Claims 1, 2, 4-6, 11-20, 25-31, 33-34, and 39-43 Rejected under 35 U.S.C. § 102(e)

The Examiner rejected claims 1, 2, 4-6, 11-20, 25-31, 33-34, and 39-43 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,226,665 to Deo et al. (hereinafter, "Deo"). This rejection is respectfully traversed.

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." MPEP § 2131 (citing Verdegaal Bros. v. Union Oil Co. of California, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987)). "The identical invention must be shown in as complete detail as is contained in the ... claim." Id. (citing Richardson v. Suzuki Motor Co., 9 USPQ2d 1913, 1920 (Fed. Cir. 1989)). In addition, "the reference must be enabling and describe the applicant's claimed invention sufficiently to have placed it in possession of a person of ordinary skill in the field of the invention." In re Paulsen, 31 USPQ2d 1671, 1673 (Fed. Cir. 1994).

Applicants respectfully submit that the claims at issue, as amended, are patentably distinct from Deo. In particular, Deo fails to teach (1) a loading table that controls "which software components are loaded into volatile memory in connection with starting the operating system"; (2) a loading table that is directly configurable by user; or (3) use of the foregoing in a multi-functional peripheral comprising a printer (*e.g.*, a printer/fax/copier disclosed at p. 5, lines 6-7 of the present application), as required by independent claims 1, 16, and 30, as amended.

The systems and methods of the claims at issue enable a user of a multi-functional peripheral comprising a printer to control which software components are loaded into memory in connection with starting the operating system of the device. A "loading table [is examined] to determine which of the individual software components are loaded into the volatile memory in connection with starting the operating system." (*See, e.g.*, claim 1; *see also* claims 16 and 30.) As indicated in the loading table, each of the individual software components is then loaded into volatile memory in connection with starting the operating system. *Id.* A user may directly configure the loading table to control which software components are loaded into memory when the operating system of the multi-functional peripheral is started. *Id.*

Deo discloses a far different type of invention. In Deo, "each applet is divided into software components that are executed by a processor, operating as a state machine." (Deo, Abstract.)

> The software components include variables and an event handler. A first portion of the variables and the event handler for the software application are loaded from a storage memory that is not used for execution of the application, into a RAM of the system and are executed from the RAM using the processor. Any change in a state of the system and any new event is detected by the processor while it executes the software components loaded into the RAM. In response to either a change in the state of the system or a new event, another software component is loaded into the RAM for execution by the processor, replacing at least one of the software components previously loaded."

(Deo, col. 2, lines 51-63 (emphasis added).) Thus, the device disclosed in Deo manages memory by removing software components from memory and replacing the removed components with other

components during operating of the applet. The swapping of components into and out of memory occurs in response to a change in state or a new event.

Deo further teaches that an operating system controls which individual software components (e.g., variables and an event handler) of a software application are loaded into RAM, stating:

> An operating system kernel specifies an order in which the variables are loaded into the RAM during execution of the software application by the processor. The kernel thus ensures that required software components are loaded when needed, but that the storage capacity of the RAM is not exceeded.

(Deo, col. 3, lines 18-23.)

From the foregoing, it is clear that Deo and the claimed invention are very different. Deo dynamically manages memory during operating of an applet using an operating system kernel. The claimed invention, in contrast, enables a user to directly configure a loading table, which, in turn, controls which program components are loaded into memory in connection with starting the operating system.

Deo thus does not disclose a loading table that controls which programs are loaded in connection with starting an operating system, as required by independent claims 1, 16, and 30. Deo likewise fails to disclose direct user configuration of the loading table. Further, Deo does not disclose a multi-functional peripheral comprising a printer, as claimed in the present application.

In view of the foregoing, Applicants respectfully submit that independent claims 1, 16, and 30 are patentably distinct from Deo. Accordingly, Applicants respectfully request that the rejection of these claims be withdrawn.

Claims 2, 4-6, 11-15, 17-20, 25-29, 31, 33-34 and 39-43 depend either directly or indirectly from either claims 1, 16, or 30. Accordingly, Applicants respectfully request that the rejection of claims 2, 4-6, 11-15, 17-20, 25-29, 31, 33-34 and 39-43 be withdrawn for the same reasons as those presented above in connection with claim 1, 16, and 30.

B. Rejection of Claims 9, 10, 23, 24, 37 and 38 under 35 U.S.C. § 103(a)

The Examiner rejected claims 9, 10, 23, 24, 37 and 38 under 35 U.S.C. § 103(a) based on Deo in view of U.S. Patent No. 5,970,252 to Buxton et al. (hereinafter, "Buxton"). This rejection is respectfully traversed.

The M.P.E.P. states that

> To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure.
>
> The initial burden is on the examiner to provide some suggestion of the desirability of doing what the inventor has done. To support the conclusion that the claimed invention is directed to obvious subject matter, either the references must expressly or impliedly suggest the claimed invention or the examiner must present a convincing line of reasoning as to why the artisan would have found the claimed invention to have been obvious in light of the teachings of the references.

M.P.E.P. § 2142.

Applicants respectfully submit that the claims at issue are patentably distinct from the cited references. The cited references do not teach or suggest all of the limitations in these claims.

Through dependency, claims 9, 10, 23, 24, 37, and 38 incorporate the limitations of independent claims 1, 16, and 30. As indicated above, Deo fails to teach (1) a loading table that controls "which software components are loaded into volatile memory in connection with starting the operating system"; (2) a loading table that is directly configurable by user; or (3) use of the foregoing in a multi-functional peripheral comprising a printer, as required by independent claims 1, 16, and 30, as amended.

Buxton teaches an object-oriented programming system for use with a conventional personal computer to "construct larger applications in a modular fashion." Buxton, col. 2, lines 6-7.

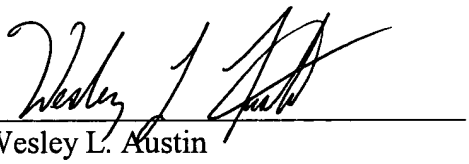
Accordingly, Buxton fails to disclose control of start up software components in a multi-functional peripheral comprising a printer, as required by the claims of the present application (either directly or through dependency).

Thus, neither Buxton, Deo, nor a combination of the two teach or suggest the limitations of claims 9, 10, 23, 24, 37, and 38. Accordingly, these claims are allowable over the cited art.

C. Conclusion

Applicants respectfully assert that all pending claims are patentably distinct from the cited references, and request that a timely Notice of Allowance be issued in this case. If there are any remaining issues preventing allowance of the pending claims that may be clarified by telephone, the Examiner is requested to call the undersigned.

Respectfully submitted,



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